

PUBLIC NOTICE NO. MT-08-03
March 24, 2008

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 et seq., Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, statement of basis, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT: City of Helena
316 North Park Ave
Helena MT 59623

FACILITY NAME: Missouri River Water Treatment Plant

FACILITY LOCATION: 2560 Canyon Ferry Road

RECEIVING WATER: Prickly Pear Creek

PERMIT NUMBER: MT 0000949

This permit authorizes the discharge of treated wastewater to Prickly Pear Creek from the City's potable water treatment plant. The facility discharges up to 126,000 gallons per day of filter backwash water to infiltration/percolation ponds to remove suspended sediment from the effluent. This permit will regulate the quality of the effluent to achieve B-1 surface water quality standards and includes a compliance schedule to eliminate discharge of wastewater to ground water.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water

quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because: the TMDL has been completed for this basin and did not identify a waste load allocation for this facility, and the permit does not authorize any increased discharge for the facility.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS April 22, 2008. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS April 22, 2008 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne Beaman at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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